

JARED BOBROW (Bar No. 133712)
jared.bobrow@weil.com
JOSEPH H. LEE (Bar No. 248046)
joseph.lee@weil.com
WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065
Telephone: (650) 802-3000
Facsimile: (650) 802-3100

Attorneys for Defendant
LEXAR MEDIA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JENS ERIK SORENSEN, as Trustee of
SORENSEN RESEARCH AND
DEVELOPMENT TRUST,

Plaintiff,

v.

LEXAR MEDIA, INC., a Delaware corporation;
and DOES 1 - 100,

Defendants.

Case No. C08-00095 JW RS

**DECLARATION OF JOSEPH H. LEE
IN SUPPORT OF DEFENDANT'S
MOTION TO STAY THIS
LITIGATION PENDING THE
OUTCOME OF REEXAMINATION
PROCEEDINGS**

Joseph H. Lee declares and states as follows:

1. I am an associate at the law firm of Weil, Gotshal & Manges LLP, attorneys for Defendant in this case. Unless otherwise stated herein, I have personal knowledge of the facts stated in this declaration and, if called upon by a court of law to do so, could and would testify competently to them.

2. Attached hereto as Exhibit A is a true and correct copy of Bibliographic Data, Continuity Data, and Transaction History from the PTO's PAIR System regarding the patent in suit.

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1 3. Attached hereto as Exhibit B is a true and correct copy of the July 30, 2007
2 Request for *Ex Parte* Reexamination Transmittal Form and pages 1-4 of the Request for *Ex Parte*
3 Reexamination.

4 4. Attached hereto as Exhibit C is a true and correct copy of the October 11,
5 2007 PTO Order Granting Reexamination of U.S. Patent No. 4,935,184.

6 5. Attached hereto as Exhibit D is a true and correct copy of the January 10,
7 2008 Notice of Reexamination Request Filing Date of December 21, 2007.

8 6. Attached hereto as Exhibit E is a true and correct copy of the February 21,
9 2008 PTO Order Granting Reexamination of U.S. Patent No. 4,935,184.

10 7. Attached hereto as Exhibit F is a true and correct copy of a PTO
11 publication entitled *Ex Parte* Reexamination Filing Data - December 31, 2007.

12 8. Attached hereto as Exhibit G is a true and correct copy of the court's order
13 Granting in Part and Denying in Part Defendants' Motion to Stay in *Jens Erik Sorensen, as*
14 *Trustee of Sorensen Research and Development Trust v. The Black & Decker Corp.*, Case No.
15 06CV1572 BTM (CAB) (S.D. Cal. August 7, 2006).

16 9. Attached hereto as Exhibit H is a true and correct copy of the court's order
17 Granting Defendant's Motion to Stay in *Jens Erik Sorensen, as Trustee of Sorensen Research and*
18 *Development Trust v. Digital Networks North America, Inc.*, Case No. 3:07-cv-05568-JSW (S.D.
19 Cal. Jan. 16, 2008).

20 10. Attached hereto as Exhibit I is a true and correct copy of the court's order
21 Granting Defendant's Motion to Stay in *Jens Erik Sorensen, as Trustee of Sorensen Research and*
22 *Development Trust v. Giant Int'l (USA) Ltd.*, Case No. 07CV2121 BTM (CAB) (S.D. Cal. Feb.
23 28, 2008).

24 11. Attached hereto as Exhibit J is a true and correct copy of the court's order
25 Granting Defendant's Motion to Stay in *Jens Erik Sorensen, as Trustee of Sorensen Research and*
26 *Development Trust v. Helen of Troy*, Case No. 07CV2278 BTM (CAB) (S.D. Cal. Feb. 28, 2008).

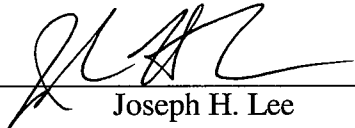
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1 12. Attached hereto as Exhibit K is a true and correct copy of the PTO's
2 Manual of Patent Examining Procedure (Eight Edition, rev. 6, Sept. 2007) § 2250 (III) (section
3 last revised Aug. 2006).

4 I declare under penalty of perjury that the foregoing is true and correct.

5 Executed this 13th day of March, 2008, at Redwood Shores, California.

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